

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Emergency Medical Services (EMS) Systems Act
5 is amended by changing Sections 3.10, 3.20, 3.50, 3.60, 3.65,
6 3.70, 3.75, 3.80, 3.85, 3.86, 3.130, 3.160, 3.175, and 3.220 as
7 follows:

8 (210 ILCS 50/3.10)

9 Sec. 3.10. Scope of Services.

10 (a) "Advanced Life Support (ALS) Services" means an
11 advanced level of pre-hospital and inter-hospital emergency
12 care and non-emergency medical services that includes basic
13 life support care, cardiac monitoring, cardiac defibrillation,
14 electrocardiography, intravenous therapy, administration of
15 medications, drugs and solutions, use of adjunctive medical
16 devices, trauma care, and other authorized techniques and
17 procedures, as outlined in the Advanced Life Support national
18 curriculum of the United States Department of Transportation
19 and any modifications to that curriculum specified in rules
20 adopted by the Department pursuant to this Act.

21 That care shall be initiated as authorized by the EMS
22 Medical Director in a Department approved advanced life support
23 EMS System, under the written or verbal direction of a

1 physician licensed to practice medicine in all of its branches
2 or under the verbal direction of an Emergency Communications
3 Registered Nurse.

4 (b) "Intermediate Life Support (ILS) Services" means an
5 intermediate level of pre-hospital and inter-hospital
6 emergency care and non-emergency medical services that
7 includes basic life support care plus intravenous cannulation
8 and fluid therapy, invasive airway management, trauma care, and
9 other authorized techniques and procedures, as outlined in the
10 Intermediate Life Support national curriculum of the United
11 States Department of Transportation and any modifications to
12 that curriculum specified in rules adopted by the Department
13 pursuant to this Act.

14 That care shall be initiated as authorized by the EMS
15 Medical Director in a Department approved intermediate or
16 advanced life support EMS System, under the written or verbal
17 direction of a physician licensed to practice medicine in all
18 of its branches or under the verbal direction of an Emergency
19 Communications Registered Nurse.

20 (c) "Basic Life Support (BLS) Services" means a basic level
21 of pre-hospital and inter-hospital emergency care and
22 non-emergency medical services that includes airway
23 management, cardiopulmonary resuscitation (CPR), control of
24 shock and bleeding and splinting of fractures, as outlined in
25 the Basic Life Support national curriculum of the United States
26 Department of Transportation and any modifications to that

1 curriculum specified in rules adopted by the Department
2 pursuant to this Act.

3 That care shall be initiated, where authorized by the EMS
4 Medical Director in a Department approved EMS System, under the
5 written or verbal direction of a physician licensed to practice
6 medicine in all of its branches or under the verbal direction
7 of an Emergency Communications Registered Nurse.

8 (d) "First Response Services" means a preliminary level of
9 pre-hospital emergency care that includes cardiopulmonary
10 resuscitation (CPR), monitoring vital signs and control of
11 bleeding, as outlined in the First Responder curriculum of the
12 United States Department of Transportation and any
13 modifications to that curriculum specified in rules adopted by
14 the Department pursuant to this Act.

15 (e) "Pre-hospital care" means those emergency medical
16 services rendered to emergency patients for analytic,
17 resuscitative, stabilizing, or preventive purposes, precedent
18 to and during transportation of such patients to hospitals.

19 (f) "Inter-hospital care" means those emergency medical
20 services rendered to emergency patients for analytic,
21 resuscitative, stabilizing, or preventive purposes, during
22 transportation of such patients from one hospital to another
23 hospital.

24 (f-5) "Critical care transport" means the pre-hospital or
25 inter-hospital transportation of a critically injured or ill
26 patient by a vehicle service provider, including the provision

1 of medically necessary supplies and services, at a level of
2 service beyond the scope of the EMT-paramedic. When medically
3 indicated for a patient, as determined by a physician licensed
4 to practice medicine in all of its branches, an advanced
5 practice nurse, or a physician's assistant, in compliance with
6 subsections (b) and (c) of Section 3.155 of this Act, critical
7 care transport may be provided by:

8 (1) Department-approved critical care transport
9 providers, not owned or operated by a hospital, utilizing
10 EMT-paramedics with additional training, nurses, or other
11 qualified health professionals; or

12 (2) Hospitals, when utilizing any vehicle service
13 provider or any hospital-owned or operated vehicle service
14 provider. Nothing in this amendatory Act of the 96th
15 General Assembly requires a hospital to use, or to be, a
16 Department-approved critical care transport provider when
17 transporting patients, including those critically injured
18 or ill. Nothing in this Act shall restrict or prohibit a
19 hospital from providing, or arranging for, the medically
20 appropriate transport of any patient, as determined by a
21 physician licensed to practice in all of its branches, an
22 advanced practice nurse, or a physician's assistant.

23 (g) "Non-emergency medical services" means medical care or
24 monitoring rendered to patients whose conditions do not meet
25 this Act's definition of emergency, before or during
26 transportation of such patients to or from health care

1 facilities visited for the purpose of obtaining medical or
2 health care services which are not emergency in nature, using a
3 vehicle regulated by this Act.

4 (g-5) The Department shall have the authority to promulgate
5 minimum standards for critical care transport providers
6 through rules adopted pursuant to this Act. All critical care
7 transport providers must function within a Department-approved
8 EMS System. Nothing in Department rules shall restrict a
9 hospital's ability to furnish personnel, equipment, and
10 medical supplies to any vehicle service provider, including a
11 critical care transport provider. Minimum critical care
12 transport provider standards shall include, but are not limited
13 to:

14 (1) Personnel staffing and licensure.

15 (2) Education, certification, and experience.

16 (3) Medical equipment and supplies.

17 (4) Vehicular standards.

18 (5) Treatment and transport protocols.

19 (6) Quality assurance and data collection.

20 (h) The provisions of this Act shall not apply to the use
21 of an ambulance or SEMSV, unless and until emergency or
22 non-emergency medical services are needed during the use of the
23 ambulance or SEMSV.

24 (Source: P.A. 94-568, eff. 1-1-06.)

1 Sec. 3.20. Emergency Medical Services (EMS) Systems.

2 (a) "Emergency Medical Services (EMS) System" means an
3 organization of hospitals, vehicle service providers and
4 personnel approved by the Department in a specific geographic
5 area, which coordinates and provides pre-hospital and
6 inter-hospital emergency care and non-emergency medical
7 transports at a BLS, ILS and/or ALS level pursuant to a System
8 program plan submitted to and approved by the Department, and
9 pursuant to the EMS Region Plan adopted for the EMS Region in
10 which the System is located.

11 (b) One hospital in each System program plan must be
12 designated as the Resource Hospital. All other hospitals which
13 are located within the geographic boundaries of a System and
14 which have standby, basic or comprehensive level emergency
15 departments must function in that EMS System as either an
16 Associate Hospital or Participating Hospital and follow all
17 System policies specified in the System Program Plan, including
18 but not limited to the replacement of drugs and equipment used
19 by providers who have delivered patients to their emergency
20 departments. All hospitals and vehicle service providers
21 participating in an EMS System must specify their level of
22 participation in the System Program Plan.

23 (c) The Department shall have the authority and
24 responsibility to:

25 (1) Approve BLS, ILS and ALS level EMS Systems which
26 meet minimum standards and criteria established in rules

1 adopted by the Department pursuant to this Act, including
2 the submission of a Program Plan for Department approval.
3 Beginning September 1, 1997, the Department shall approve
4 the development of a new EMS System only when a local or
5 regional need for establishing such System has been
6 verified by the Department ~~identified~~. This shall not be
7 construed as a needs assessment for health planning or
8 other purposes outside of this Act. Following Department
9 approval, EMS Systems must be fully operational within one
10 year from the date of approval.

11 (2) Monitor EMS Systems, based on minimum standards for
12 continuing operation as prescribed in rules adopted by the
13 Department pursuant to this Act, which shall include
14 requirements for submitting Program Plan amendments to the
15 Department for approval.

16 (3) Renew EMS System approvals every 4 years, after an
17 inspection, based on compliance with the standards for
18 continuing operation prescribed in rules adopted by the
19 Department pursuant to this Act.

20 (4) Suspend, revoke, or refuse to renew approval of any
21 EMS System, after providing an opportunity for a hearing,
22 when findings show that it does not meet the minimum
23 standards for continuing operation as prescribed by the
24 Department, or is found to be in violation of its
25 previously approved Program Plan.

26 (5) Require each EMS System to adopt written protocols

1 for the bypassing of or diversion to any hospital, trauma
2 center or regional trauma center, which provide that a
3 person shall not be transported to a facility other than
4 the nearest hospital, regional trauma center or trauma
5 center unless the medical benefits to the patient
6 reasonably expected from the provision of appropriate
7 medical treatment at a more distant facility outweigh the
8 increased risks to the patient from transport to the more
9 distant facility, or the transport is in accordance with
10 the System's protocols for patient choice or refusal.

11 (6) Require that the EMS Medical Director of an ILS or
12 ALS level EMS System be a physician licensed to practice
13 medicine in all of its branches in Illinois, and certified
14 by the American Board of Emergency Medicine or the American
15 Board of Osteopathic Emergency Medicine, and that the EMS
16 Medical Director of a BLS level EMS System be a physician
17 licensed to practice medicine in all of its branches in
18 Illinois, with regular and frequent involvement in
19 pre-hospital emergency medical services. In addition, all
20 EMS Medical Directors shall:

21 (A) Have experience on an EMS vehicle at the
22 highest level available within the System, or make
23 provision to gain such experience within 12 months
24 prior to the date responsibility for the System is
25 assumed or within 90 days after assuming the position;

26 (B) Be thoroughly knowledgeable of all skills

1 included in the scope of practices of all levels of EMS
2 personnel within the System;

3 (C) Have or make provision to gain experience
4 instructing students at a level similar to that of the
5 levels of EMS personnel within the System; and

6 (D) For ILS and ALS EMS Medical Directors,
7 successfully complete a Department-approved EMS
8 Medical Director's Course.

9 (7) Prescribe statewide EMS data elements to be
10 collected and documented by providers in all EMS Systems
11 for all emergency and non-emergency medical services, with
12 a one-year phase-in for commencing collection of such data
13 elements.

14 (8) Define, through rules adopted pursuant to this Act,
15 the terms "Resource Hospital", "Associate Hospital",
16 "Participating Hospital", "Basic Emergency Department",
17 "Standby Emergency Department", "Comprehensive Emergency
18 Department", "EMS Medical Director", "EMS Administrative
19 Director", and "EMS System Coordinator".

20 (A) Upon the effective date of this amendatory Act
21 of 1995, all existing Project Medical Directors shall
22 be considered EMS Medical Directors, and all persons
23 serving in such capacities on the effective date of
24 this amendatory Act of 1995 shall be exempt from the
25 requirements of paragraph (7) of this subsection;

26 (B) Upon the effective date of this amendatory Act

1 of 1995, all existing EMS System Project Directors
2 shall be considered EMS Administrative Directors.

3 (9) Investigate the circumstances that caused a
4 hospital in an EMS system to go on bypass status to
5 determine whether that hospital's decision to go on bypass
6 status was reasonable. The Department may impose
7 sanctions, as set forth in Section 3.140 of the Act, upon a
8 Department determination that the hospital unreasonably
9 went on bypass status in violation of the Act.

10 (10) Evaluate the capacity and performance of any
11 freestanding emergency center established under Section
12 32.5 of this Act in meeting emergency medical service needs
13 of the public, including compliance with applicable
14 emergency medical standards and assurance of the
15 availability of and immediate access to the highest quality
16 of medical care possible.

17 (Source: P.A. 95-584, eff. 8-31-07.)

18 (210 ILCS 50/3.50)

19 Sec. 3.50. Emergency Medical Technician (EMT) Licensure.

20 (a) "Emergency Medical Technician-Basic" or "EMT-B" means
21 a person who has successfully completed a course of instruction
22 in basic life support as prescribed by the Department, is
23 currently licensed by the Department in accordance with
24 standards prescribed by this Act and rules adopted by the
25 Department pursuant to this Act, and practices within an EMS

1 System.

2 (b) "Emergency Medical Technician-Intermediate" or "EMT-I"
3 means a person who has successfully completed a course of
4 instruction in intermediate life support as prescribed by the
5 Department, is currently licensed by the Department in
6 accordance with standards prescribed by this Act and rules
7 adopted by the Department pursuant to this Act, and practices
8 within an Intermediate or Advanced Life Support EMS System.

9 (c) "Emergency Medical Technician-Paramedic" or "EMT-P"
10 means a person who has successfully completed a course of
11 instruction in advanced life support care as prescribed by the
12 Department, is licensed by the Department in accordance with
13 standards prescribed by this Act and rules adopted by the
14 Department pursuant to this Act, and practices within an
15 Advanced Life Support EMS System.

16 (d) The Department shall have the authority and
17 responsibility to:

18 (1) Prescribe education and training requirements,
19 which includes training in the use of epinephrine, for all
20 levels of EMT, based on the respective national curricula
21 of the United States Department of Transportation and any
22 modifications to such curricula specified by the
23 Department through rules adopted pursuant to this Act.

24 (2) Prescribe licensure testing requirements for all
25 levels of EMT, which shall include a requirement that all
26 phases of instruction, training, and field experience be

1 completed before taking the EMT licensure examination.
2 Candidates may elect to take the National Registry of
3 Emergency Medical Technicians examination in lieu of the
4 Department's examination, but are responsible for making
5 their own arrangements for taking the National Registry
6 examination.

7 (2.5) Review applications for EMT licensure from
8 honorably discharged members of the armed forces of the
9 United States with military emergency medical training.
10 Applications shall be filed with the Department within one
11 year after military discharge and shall contain: (i) proof
12 of successful completion of military emergency medical
13 training; (ii) a detailed description of the emergency
14 medical curriculum completed; and (iii) a detailed
15 description of the applicant's clinical experience. The
16 Department may request additional and clarifying
17 information. The Department shall evaluate the
18 application, including the applicant's training and
19 experience, consistent with the standards set forth under
20 subsections (a), (b), (c), and (d) of Section 3.10. If the
21 application clearly demonstrates that the training and
22 experience meets such standards, the Department shall
23 offer the applicant the opportunity to successfully
24 complete a Department-approved EMT examination for which
25 the applicant is qualified. Upon passage of an examination,
26 the Department shall issue a license, which shall be

1 subject to all provisions of this Act that are otherwise
2 applicable to the class of EMT license issued.

3 (3) License individuals as an EMT-B, EMT-I, or EMT-P
4 who have met the Department's education, training and
5 examination ~~testing~~ requirements.

6 (4) Prescribe annual continuing education and
7 relicensure requirements for all levels of EMT.

8 (5) Relicense individuals as an EMT-B, EMT-I, or EMT-P
9 every 4 years, based on their compliance with continuing
10 education and relicensure requirements.

11 (6) Grant inactive status to any EMT who qualifies,
12 based on standards and procedures established by the
13 Department in rules adopted pursuant to this Act.

14 (7) Charge a fee for EMT examination, licensure, and
15 license renewal ~~each candidate for EMT a fee to be~~
16 ~~submitted with an application for a licensure examination.~~

17 (8) Suspend, revoke, or refuse to issue or renew the
18 license of any licensee ~~an EMT~~, after an opportunity for an
19 impartial hearing, where the preponderance of the evidence
20 shows one or more of the following ~~a hearing, when findings~~
21 ~~show one or more of the following:~~

22 (A) The licensee ~~EMT~~ has not met continuing
23 education or relicensure requirements as prescribed by
24 the Department;

25 (B) The licensee ~~EMT~~ has failed to maintain
26 proficiency in the level of skills for which he or she

1 is licensed;

2 (C) The licensee ~~EMT~~, during the provision of
3 medical services, engaged in dishonorable, unethical,
4 or unprofessional conduct of a character likely to
5 deceive, defraud, or harm the public;

6 (D) The licensee ~~EMT~~ has failed to maintain or has
7 violated standards of performance and conduct as
8 prescribed by the Department in rules adopted pursuant
9 to this Act or his or her EMS System's Program Plan;

10 (E) The licensee ~~EMT~~ is physically impaired to the
11 extent that he or she cannot physically perform the
12 skills and functions for which he or she is licensed,
13 as verified by a physician, unless the person is on
14 inactive status pursuant to Department regulations;

15 (F) The licensee ~~EMT~~ is mentally impaired to the
16 extent that he or she cannot exercise the appropriate
17 judgment, skill and safety for performing the
18 functions for which he or she is licensed, as verified
19 by a physician, unless the person is on inactive status
20 pursuant to Department regulations; ~~or~~

21 (G) The licensee ~~EMT~~ has violated this Act or any
22 rule adopted by the Department pursuant to this Act;
23 or.

24 (H) The licensee has been convicted (or entered a
25 plea of guilty or nolo-contendere) by a lawful court of
26 a felony offense, which, upon conviction, subjects the

1 convicted licensee to a minimum imprisonment of 2 years
2 or more.

3 (9) An EMT who exclusively serves as a volunteer for
4 units of local government with a population base of less
5 than 5,000 may submit an application to the Department for
6 a waiver of these fees on a form prescribed by the
7 Department.

8 The education requirements prescribed by the Department
9 under this subsection must allow for the suspension of those
10 requirements in the case of a member of the armed services or
11 reserve forces of the United States or a member of the Illinois
12 National Guard who is on active duty pursuant to an executive
13 order of the President of the United States, an act of the
14 Congress of the United States, or an order of the Governor at
15 the time that the member would otherwise be required to fulfill
16 a particular education requirement. Such a person must fulfill
17 the education requirement within 6 months after his or her
18 release from active duty.

19 (e) In the event that any rule of the Department or an EMS
20 Medical Director that requires testing for drug use as a
21 condition for EMT licensure conflicts with or duplicates a
22 provision of a collective bargaining agreement that requires
23 testing for drug use, that rule shall not apply to any person
24 covered by the collective bargaining agreement.

25 (Source: P.A. 96-540, eff. 8-17-09.)

1 (210 ILCS 50/3.60)

2 Sec. 3.60. First Responder.

3 (a) "First Responder" means a person who has successfully
4 completed a course of instruction in emergency first response
5 as prescribed by the Department, who provides first response
6 services prior to the arrival of an ambulance or specialized
7 emergency medical services vehicle, in accordance with the
8 level of care established in the emergency first response
9 course. A First Responder who provides such services as part of
10 an EMS System response plan which utilizes First Responders as
11 the personnel dispatched to the scene of an emergency to
12 provide initial emergency medical care shall comply with the
13 applicable sections of the Program Plan of that EMS System.

14 Persons who have already completed a course of instruction
15 in emergency first response based on or equivalent to the
16 national curriculum of the United States Department of
17 Transportation, or as otherwise previously recognized by the
18 Department, shall be considered First Responders on the
19 effective date of this amendatory Act of 1995.

20 (b) The Department shall have the authority and
21 responsibility to:

22 (1) Prescribe education requirements for the First
23 Responder, which meet or exceed the national curriculum of
24 the United States Department of Transportation, through
25 rules adopted pursuant to this Act.

26 (2) Prescribe a standard set of equipment for use

1 during first response services. An individual First
2 Responder shall not be required to maintain his or her own
3 set of such equipment, provided he or she has access to
4 such equipment during a first response call.

5 (3) Require the First Responder to notify the
6 Department of any EMS System in which he or she
7 participates as dispatched personnel as described in
8 subsection (a).

9 (4) Require the First Responder to comply with the
10 applicable sections of the Program Plans for those Systems.

11 (5) Require the First Responder to keep the Department
12 currently informed as to who employs him or her and who
13 supervises his or her activities as a First Responder.

14 (6) Establish a mechanism for phasing in the First
15 Responder requirements over a 5-year period.

16 (7) Charge each First Responder applicant a fee for
17 testing, initial licensure, and license renewal. A First
18 Responder who exclusively serves as a volunteer for units
19 of local government with a population base of less than
20 5,000 may submit an application to the Department for a
21 waiver of these fees on a form prescribed by the
22 Department.

23 (Source: P.A. 89-177, eff. 7-19-95.)

24 (210 ILCS 50/3.65)

25 Sec. 3.65. EMS Lead Instructor.

1 (a) "EMS Lead Instructor" means a person who has
2 successfully completed a course of education as prescribed by
3 the Department, and who is currently approved by the Department
4 to coordinate or teach education, training and continuing
5 education courses, in accordance with standards prescribed by
6 this Act and rules adopted by the Department pursuant to this
7 Act.

8 (b) The Department shall have the authority and
9 responsibility to:

10 (1) Prescribe education requirements for EMS Lead
11 Instructor candidates through rules adopted pursuant to
12 this Act.

13 (2) Prescribe testing requirements for EMS Lead
14 Instructor candidates through rules adopted pursuant to
15 this Act.

16 (3) Charge each candidate for EMS Lead Instructor a fee
17 to be submitted with an application for an examination, an
18 application for certification, and an application for
19 license renewal.

20 (4) Approve individuals as EMS Lead Instructors who
21 have met the Department's education and testing
22 requirements.

23 (5) Require that all education, training and
24 continuing education courses for EMT-B, EMT-I, EMT-P,
25 Pre-Hospital RN, ECRN, First Responder and Emergency
26 Medical Dispatcher be coordinated by at least one approved

1 EMS Lead Instructor. A program which includes education,
2 training or continuing education for more than one type of
3 personnel may use one EMS Lead Instructor to coordinate the
4 program, and a single EMS Lead Instructor may
5 simultaneously coordinate more than one program or course.

6 (6) Provide standards and procedures for awarding EMS
7 Lead Instructor approval to persons previously approved by
8 the Department to coordinate such courses, based on
9 qualifications prescribed by the Department through rules
10 adopted pursuant to this Act.

11 (7) Suspend or revoke the approval of an EMS Lead
12 Instructor, after an opportunity for a hearing, when
13 findings show one or more of the following:

14 (A) The EMS Lead Instructor has failed to conduct a
15 course in accordance with the curriculum prescribed by
16 this Act and rules adopted by the Department pursuant
17 to this Act; or

18 (B) The EMS Lead Instructor has failed to comply
19 with protocols prescribed by the Department through
20 rules adopted pursuant to this Act.

21 (Source: P.A. 89-177, eff. 7-19-95.)

22 (210 ILCS 50/3.70)

23 Sec. 3.70. Emergency Medical Dispatcher.

24 (a) "Emergency Medical Dispatcher" means a person who has
25 successfully completed a training course in emergency medical

1 dispatching meeting or exceeding the national curriculum of the
2 United States Department of Transportation in accordance with
3 rules adopted by the Department pursuant to this Act, who
4 accepts calls from the public for emergency medical services
5 and dispatches designated emergency medical services personnel
6 and vehicles. The Emergency Medical Dispatcher must use the
7 Department-approved emergency medical dispatch priority
8 reference system (EMDPRS) protocol selected for use by its
9 agency and approved by its EMS medical director. This protocol
10 must be used by an emergency medical dispatcher in an emergency
11 medical dispatch agency to dispatch aid to medical emergencies
12 which includes systematized caller interrogation questions;
13 systematized prearrival support instructions; and systematized
14 coding protocols that match the dispatcher's evaluation of the
15 injury or illness severity with the vehicle response mode and
16 vehicle response configuration and includes an appropriate
17 training curriculum and testing process consistent with the
18 specific EMDPRS protocol used by the emergency medical dispatch
19 agency. Prearrival support instructions shall be provided in a
20 non-discriminatory manner and shall be provided in accordance
21 with the EMDPRS established by the EMS medical director of the
22 EMS system in which the EMD operates. If the dispatcher
23 operates under the authority of an Emergency Telephone System
24 Board established under the Emergency Telephone System Act, the
25 protocols shall be established by such Board in consultation
26 with the EMS Medical Director. Persons who have already

1 completed a course of instruction in emergency medical dispatch
2 based on, equivalent to or exceeding the national curriculum of
3 the United States Department of Transportation, or as otherwise
4 approved by the Department, shall be considered Emergency
5 Medical Dispatchers on the effective date of this amendatory
6 Act.

7 (b) The Department shall have the authority and
8 responsibility to:

9 (1) Require certification and recertification of a
10 person who meets the training and other requirements as an
11 emergency medical dispatcher pursuant to this Act.

12 (2) Require certification and recertification of a
13 person, organization, or government agency that operates
14 an emergency medical dispatch agency that meets the minimum
15 standards prescribed by the Department for an emergency
16 medical dispatch agency pursuant to this Act.

17 (3) Prescribe minimum education and continuing
18 education requirements for the Emergency Medical
19 Dispatcher, which meet the national curriculum of the
20 United States Department of Transportation, through rules
21 adopted pursuant to this Act.

22 (4) Require each EMS Medical Director to report to the
23 Department whenever an action has taken place that may
24 require the revocation or suspension of a certificate
25 issued by the Department.

26 (5) Require each EMD to provide prearrival

1 instructions in compliance with protocols selected and
2 approved by the system's EMS medical director and approved
3 by the Department.

4 (6) Require the Emergency Medical Dispatcher to keep
5 the Department currently informed as to the entity or
6 agency that employs or supervises his activities as an
7 Emergency Medical Dispatcher.

8 (7) Establish an annual recertification requirement
9 that requires at least 12 hours of medical
10 dispatch-specific continuing education each year.

11 (8) Approve all EMDPRS protocols used by emergency
12 medical dispatch agencies to assure compliance with
13 national standards.

14 (9) Require that Department-approved emergency medical
15 dispatch training programs are conducted in accordance
16 with national standards.

17 (10) Require that the emergency medical dispatch
18 agency be operated in accordance with national standards,
19 including, but not limited to, (i) the use on every request
20 for medical assistance of an emergency medical dispatch
21 priority reference system (EMDPRS) in accordance with
22 Department-approved policies and procedures and (ii) under
23 the approval and supervision of the EMS medical director,
24 the establishment of a continuous quality improvement
25 program.

26 (11) Require that a person may not represent himself or

1 herself, nor may an agency or business represent an agent
2 or employee of that agency or business, as an emergency
3 medical dispatcher unless certified by the Department as an
4 emergency medical dispatcher.

5 (12) Require that a person, organization, or
6 government agency not represent itself as an emergency
7 medical dispatch agency unless the person, organization,
8 or government agency is certified by the Department as an
9 emergency medical dispatch agency.

10 (13) Require that a person, organization, or
11 government agency may not offer or conduct a training
12 course that is represented as a course for an emergency
13 medical dispatcher unless the person, organization, or
14 agency is approved by the Department to offer or conduct
15 that course.

16 (14) Require that Department-approved emergency
17 medical dispatcher training programs are conducted by
18 instructors licensed by the Department who:

19 (i) are, at a minimum, certified as emergency
20 medical dispatchers;

21 (ii) have completed a Department-approved course
22 on methods of instruction;

23 (iii) have previous experience in a medical
24 dispatch agency; and

25 (iv) have demonstrated experience as an EMS
26 instructor.

1 (15) Establish criteria for modifying or waiving
2 Emergency Medical Dispatcher requirements based on (i) the
3 scope and frequency of dispatch activities and the
4 dispatcher's access to training or (ii) whether the
5 previously-attended dispatcher training program merits
6 automatic recertification for the dispatcher.

7 (16) Charge each Emergency Medical Dispatcher
8 applicant a fee for licensure and license renewal.

9 (Source: P.A. 92-506, eff. 1-1-02.)

10 (210 ILCS 50/3.75)

11 Sec. 3.75. Trauma Nurse Specialist (TNS) Certification.

12 (a) "Trauma Nurse Specialist" or "TNS" means a registered
13 professional nurse who has successfully completed education
14 and testing requirements as prescribed by the Department, and
15 is certified by the Department in accordance with rules adopted
16 by the Department pursuant to this Act.

17 (b) The Department shall have the authority and
18 responsibility to:

19 (1) Establish criteria for TNS training sites, through
20 rules adopted pursuant to this Act;

21 (2) Prescribe education and testing requirements for
22 TNS candidates, which shall include an opportunity for
23 certification based on examination only, through rules
24 adopted pursuant to this Act;

25 (3) Charge each candidate for TNS certification a fee

1 to be submitted with an application for a certification
2 examination, an application for certification, and an
3 application for recertification;

4 (4) Certify an individual as a TNS who has met the
5 Department's education and testing requirements;

6 (5) Prescribe recertification requirements through
7 rules adopted to this Act;

8 (6) Recertify an individual as a TNS every 4 years,
9 based on compliance with recertification requirements;

10 (7) Grant inactive status to any TNS who qualifies,
11 based on standards and procedures established by the
12 Department in rules adopted pursuant to this Act; and

13 (8) Suspend, revoke or deny renewal of the
14 certification of a TNS, after an opportunity for hearing by
15 the Department, if findings show that the TNS has failed to
16 maintain proficiency in the level of skills for which the
17 TNS is certified or has failed to comply with
18 recertification requirements.

19 (Source: P.A. 89-177, eff. 7-19-95.)

20 (210 ILCS 50/3.80)

21 Sec. 3.80. Pre-Hospital RN and Emergency Communications
22 Registered Nurse.

23 (a) Emergency Communications Registered Nurse or "ECRN"
24 means a registered professional nurse licensed under the Nurse
25 Practice Act who has successfully completed supplemental

1 education in accordance with rules adopted by the Department,
2 and who is approved by an EMS Medical Director to monitor
3 telecommunications from and give voice orders to EMS System
4 personnel, under the authority of the EMS Medical Director and
5 in accordance with System protocols.

6 Upon the effective date of this amendatory Act of 1995, all
7 existing Registered Professional Nurse/MICNs shall be
8 considered ECRNs.

9 (b) "Pre-Hospital Registered Nurse" or "Pre-Hospital RN"
10 means a registered professional nurse licensed under the Nurse
11 Practice Act who has successfully completed supplemental
12 education in accordance with rules adopted by the Department
13 pursuant to this Act, and who is approved by an EMS Medical
14 Director to practice within an EMS System as emergency medical
15 services personnel for pre-hospital and inter-hospital
16 emergency care and non-emergency medical transports.

17 Upon the effective date of this amendatory Act of 1995, all
18 existing Registered Professional Nurse/Field RNs shall be
19 considered Pre-Hospital RNs.

20 (c) The Department shall have the authority and
21 responsibility to:

22 (1) Prescribe education and continuing education
23 requirements for Pre-Hospital RN and ECRN candidates
24 through rules adopted pursuant to this Act:

25 (A) Education for Pre-Hospital RN shall include
26 extrication, telecommunications, and pre-hospital

1 cardiac and trauma care;

2 (B) Education for ECRN shall include
3 telecommunications, System standing medical orders and
4 the procedures and protocols established by the EMS
5 Medical Director;

6 (C) A Pre-Hospital RN candidate who is fulfilling
7 clinical training and in-field supervised experience
8 requirements may perform prescribed procedures under
9 the direct supervision of a physician licensed to
10 practice medicine in all of its branches, a qualified
11 registered professional nurse or a qualified EMT, only
12 when authorized by the EMS Medical Director;

13 (D) An EMS Medical Director may impose in-field
14 supervised field experience requirements on System
15 ECRNs as part of their training or continuing
16 education, in which they perform prescribed procedures
17 under the direct supervision of a physician licensed to
18 practice medicine in all of its branches, a qualified
19 registered professional nurse or qualified EMT, only
20 when authorized by the EMS Medical Director;

21 (2) Require EMS Medical Directors to reapprove
22 Pre-Hospital RNs and ECRNs every 4 years, based on
23 compliance with continuing education requirements
24 prescribed by the Department through rules adopted
25 pursuant to this Act;

26 (3) Allow EMS Medical Directors to grant inactive

1 status to any Pre-Hospital RN or ECRN who qualifies, based
2 on standards and procedures established by the Department
3 in rules adopted pursuant to this Act;

4 (4) Require a Pre-Hospital RN to honor Do Not
5 Resuscitate (DNR) orders and powers of attorney for health
6 care only in accordance with rules adopted by the
7 Department pursuant to this Act and protocols of the EMS
8 System in which he or she practices; ~~;~~

9 (5) Charge each Pre-Hospital RN applicant and ECRN
10 applicant a fee for certification, licensure, and license
11 renewal.

12 (Source: P.A. 95-639, eff. 10-5-07.)

13 (210 ILCS 50/3.85)

14 Sec. 3.85. Vehicle Service Providers.

15 (a) "Vehicle Service Provider" means an entity licensed by
16 the Department to provide emergency or non-emergency medical
17 services in compliance with this Act, the rules promulgated by
18 the Department pursuant to this Act, and an operational plan
19 approved by its EMS System(s), utilizing at least ambulances or
20 specialized emergency medical service vehicles (SEMSV).

21 (1) "Ambulance" means any publicly or privately owned
22 on-road vehicle that is specifically designed, constructed
23 or modified and equipped, and is intended to be used for,
24 and is maintained or operated for the emergency
25 transportation of persons who are sick, injured, wounded or

1 otherwise incapacitated or helpless, or the non-emergency
2 medical transportation of persons who require the presence
3 of medical personnel to monitor the individual's condition
4 or medical apparatus being used on such individuals.

5 (2) "Specialized Emergency Medical Services Vehicle"
6 or "SEMSV" means a vehicle or conveyance, other than those
7 owned or operated by the federal government, that is
8 primarily intended for use in transporting the sick or
9 injured by means of air, water, or ground transportation,
10 that is not an ambulance as defined in this Act. The term
11 includes watercraft, aircraft and special purpose ground
12 transport vehicles or conveyances not intended for use on
13 public roads.

14 (3) An ambulance or SEMSV may also be designated as a
15 Limited Operation Vehicle or Special-Use Vehicle:

16 (A) "Limited Operation Vehicle" means a vehicle
17 which is licensed by the Department to provide basic,
18 intermediate or advanced life support emergency or
19 non-emergency medical services that are exclusively
20 limited to specific events or locales.

21 (B) "Special-Use Vehicle" means any publicly or
22 privately owned vehicle that is specifically designed,
23 constructed or modified and equipped, and is intended
24 to be used for, and is maintained or operated solely
25 for the emergency or non-emergency transportation of a
26 specific medical class or category of persons who are

1 sick, injured, wounded or otherwise incapacitated or
2 helpless (e.g. high-risk obstetrical patients,
3 neonatal patients).

4 (C) "Reserve Ambulance" means a vehicle that meets
5 all criteria set forth in this Section and all
6 Department rules, except for the required inventory of
7 medical supplies and durable medical equipment, which
8 may be rapidly transferred from a fully functional
9 ambulance to a reserve ambulance without the use of
10 tools or special mechanical expertise.

11 (b) The Department shall have the authority and
12 responsibility to:

13 (1) Require all Vehicle Service Providers, both
14 publicly and privately owned, to function within an EMS
15 System;

16 (2) Require a Vehicle Service Provider utilizing
17 ambulances to have a primary affiliation with an EMS System
18 within the EMS Region in which its Primary Service Area is
19 located, which is the geographic areas in which the
20 provider renders the majority of its emergency responses.
21 This requirement shall not apply to Vehicle Service
22 Providers which exclusively utilize Limited Operation
23 Vehicles;

24 (3) Establish licensing standards and requirements for
25 Vehicle Service Providers, through rules adopted pursuant
26 to this Act, including but not limited to:

1 (A) Vehicle design, specification, operation and
2 maintenance standards, including standards for the use
3 of reserve ambulances;

4 (B) Equipment requirements;

5 (C) Staffing requirements; and

6 (D) Annual license renewal.

7 (4) License all Vehicle Service Providers that have met
8 the Department's requirements for licensure, unless such
9 Provider is owned or licensed by the federal government.
10 All Provider licenses issued by the Department shall
11 specify the level and type of each vehicle covered by the
12 license (BLS, ILS, ALS, ambulance, SEMSV, limited
13 operation vehicle, special use vehicle, reserve
14 ambulance);

15 (5) Annually inspect all licensed Vehicle Service
16 Providers, and relicense such Providers that have met the
17 Department's requirements for license renewal;

18 (6) Suspend, revoke, refuse to issue or refuse to renew
19 the license of any Vehicle Service Provider, or that
20 portion of a license pertaining to a specific vehicle
21 operated by the Provider, after an opportunity for a
22 hearing, when findings show that the Provider or one or
23 more of its vehicles has failed to comply with the
24 standards and requirements of this Act or rules adopted by
25 the Department pursuant to this Act;

26 (7) Issue an Emergency Suspension Order for any

1 Provider or vehicle licensed under this Act, when the
2 Director or his designee has determined that an immediate
3 and serious danger to the public health, safety and welfare
4 exists. Suspension or revocation proceedings which offer
5 an opportunity for hearing shall be promptly initiated
6 after the Emergency Suspension Order has been issued;

7 (8) Exempt any licensed vehicle from subsequent
8 vehicle design standards or specifications required by the
9 Department, as long as said vehicle is continuously in
10 compliance with the vehicle design standards and
11 specifications originally applicable to that vehicle, or
12 until said vehicle's title of ownership is transferred;

13 (9) Exempt any vehicle (except an SEMSV) which was
14 being used as an ambulance on or before December 15, 1980,
15 from vehicle design standards and specifications required
16 by the Department, until said vehicle's title of ownership
17 is transferred. Such vehicles shall not be exempt from all
18 other licensing standards and requirements prescribed by
19 the Department;

20 (10) Prohibit any Vehicle Service Provider from
21 advertising, identifying its vehicles, or disseminating
22 information in a false or misleading manner concerning the
23 Provider's type and level of vehicles, location, primary
24 service area, response times, level of personnel,
25 licensure status or System participation; ~~and~~

26 (10.5) Prohibit any Vehicle Service Provider, whether

1 municipal, private, or hospital-owned, from advertising
2 itself as a critical care transport provider unless it
3 participates in a Department-approved EMS System critical
4 care transport plan; and

5 (11) Charge each Vehicle Service Provider a fee per
6 transport vehicle, to be submitted with each application
7 for licensure and license renewal. The fee per transport
8 vehicle shall be set by administrative rule by the
9 Department and shall not exceed 100 vehicles per provider ~~7~~
10 ~~which shall not exceed \$25.00 per vehicle, up to \$500.00~~
11 ~~per Provider.~~

12 (Source: P.A. 89-177, eff. 7-19-95.)

13 (210 ILCS 50/3.86)

14 Sec. 3.86. Stretcher van providers.

15 (a) In this Section, "stretcher van provider" means an
16 entity licensed by the Department to provide non-emergency
17 transportation of passengers on a stretcher in compliance with
18 this Act or the rules adopted by the Department pursuant to
19 this Act, utilizing stretcher vans.

20 (b) The Department has the authority and responsibility to
21 do the following:

22 (1) Require all stretcher van providers, both publicly
23 and privately owned, to be licensed by the Department.

24 (2) Establish licensing and safety standards and
25 requirements for stretcher van providers, through rules

1 adopted pursuant to this Act, including but not limited to:

2 (A) Vehicle design, specification, operation, and
3 maintenance standards.

4 (B) Safety equipment requirements and standards.

5 (C) Staffing requirements.

6 (D) Annual license renewal.

7 (3) License all stretcher van providers that have met
8 the Department's requirements for licensure.

9 (4) Annually inspect all licensed stretcher van
10 providers, and relicense providers that have met the
11 Department's requirements for license renewal.

12 (5) Suspend, revoke, refuse to issue, or refuse to
13 renew the license of any stretcher van provider, or that
14 portion of a license pertaining to a specific vehicle
15 operated by a provider, after an opportunity for a hearing,
16 when findings show that the provider or one or more of its
17 vehicles has failed to comply with the standards and
18 requirements of this Act or the rules adopted by the
19 Department pursuant to this Act.

20 (6) Issue an emergency suspension order for any
21 provider or vehicle licensed under this Act when the
22 Director or his or her designee has determined that an
23 immediate or serious danger to the public health, safety,
24 and welfare exists. Suspension or revocation proceedings
25 that offer an opportunity for a hearing shall be promptly
26 initiated after the emergency suspension order has been

1 issued.

2 (7) Prohibit any stretcher van provider from
3 advertising, identifying its vehicles, or disseminating
4 information in a false or misleading manner concerning the
5 provider's type and level of vehicles, location, response
6 times, level of personnel, licensure status, or EMS System
7 participation.

8 (8) Charge each stretcher van provider a fee, to be
9 submitted with each application for licensure and license
10 renewal, ~~which shall not exceed \$25 per vehicle, up to \$500~~
11 ~~per provider.~~

12 (c) A stretcher van provider may provide transport of a
13 passenger on a stretcher, provided the passenger meets all of
14 the following requirements:

15 (1) He or she needs no medical equipment, except
16 self-administered medications.

17 (2) He or she needs no medical monitoring or medical
18 observation.

19 (3) He or she needs routine transportation to or from a
20 medical appointment or service if the passenger is
21 convalescent or otherwise bed-confined and does not
22 require medical monitoring, aid, care, or treatment during
23 transport.

24 (d) A stretcher van provider may not transport a passenger
25 who meets any of the following conditions:

26 (1) He or she is currently admitted to a hospital or is

1 being transported to a hospital for admission or emergency
2 treatment.

3 (2) He or she is acutely ill, wounded, or medically
4 unstable as determined by a licensed physician.

5 (3) He or she is experiencing an emergency medical
6 condition, an acute medical condition, an exacerbation of a
7 chronic medical condition, or a sudden illness or injury.

8 (4) He or she was administered a medication that might
9 prevent the passenger from caring for himself or herself.

10 (5) He or she was moved from one environment where
11 24-hour medical monitoring or medical observation will
12 take place by certified or licensed nursing personnel to
13 another such environment. Such environments shall include,
14 but not be limited to, hospitals licensed under the
15 Hospital Licensing Act or operated under the University of
16 Illinois Hospital Act, and nursing facilities licensed
17 under the Nursing Home Care Act.

18 (e) The Stretcher Van Licensure Fund is created as a
19 special fund within the State treasury. All fees received by
20 the Department in connection with the licensure of stretcher
21 van providers under this Section shall be deposited into the
22 fund. Moneys in the fund shall be subject to appropriation to
23 the Department for use in implementing this Section.

24 (Source: P.A. 96-702, eff. 8-25-09.)

25 (210 ILCS 50/3.130)

1 Sec. 3.130. Facility, system, and equipment violations
2 ~~Violations~~; Plans of Correction. Except for emergency
3 suspension orders, or actions initiated pursuant to Sections
4 3.117(a), 3.117(b), and 3.90(b)(10) of this Act, prior to
5 initiating an action for suspension, revocation, denial,
6 nonrenewal, or imposition of a fine pursuant to this Act, the
7 Department shall:

8 (a) Issue a Notice of Violation which specifies the
9 Department's allegations of noncompliance and requests a plan
10 of correction to be submitted within 10 days after receipt of
11 the Notice of Violation;

12 (b) Review and approve or reject the plan of correction. If
13 the Department rejects the plan of correction, it shall send
14 notice of the rejection and the reason for the rejection. The
15 party shall have 10 days after receipt of the notice of
16 rejection in which to submit a modified plan;

17 (c) Impose a plan of correction if a modified plan is not
18 submitted in a timely manner or if the modified plan is
19 rejected by the Department;

20 (d) Issue a Notice of Intent to fine, suspend, revoke,
21 nonrenew or deny if the party has failed to comply with the
22 imposed plan of correction, and provide the party with an
23 opportunity to request an administrative hearing. The Notice of
24 Intent shall be effected by certified mail or by personal
25 service, shall set forth the particular reasons for the
26 proposed action, and shall provide the party with 15 days in

1 which to request a hearing.

2 (Source: P.A. 96-514, eff. 1-1-10.)

3 (210 ILCS 50/3.160)

4 Sec. 3.160. Employer Responsibility.

5 (a) (Blank) ~~No employer shall employ or permit any employee~~
6 ~~to perform any services for which a license, certificate or~~
7 ~~other authorization is required by this Act, or by rules~~
8 ~~adopted pursuant to this Act, unless and until the person so~~
9 ~~employed possesses all licenses, certificates or~~
10 ~~authorizations that are so required.~~

11 (a-5) No employer shall permit any employee to perform any
12 services for which a license, certificate, or other
13 authorization is required under this Act, unless the employer
14 first makes a good faith attempt to verify that the employee
15 possesses all necessary and valid licenses, certificates, and
16 authorizations required under this Act.

17 (b) Any person or entity that employs or supervises a
18 person's activities as a First Responder or Emergency Medical
19 Dispatcher shall cooperate with the Department's efforts to
20 monitor and enforce compliance by those individuals with the
21 requirements of this Act.

22 (Source: P.A. 89-177, eff. 7-19-95.)

23 (210 ILCS 50/3.175)

24 Sec. 3.175. Criminal Penalties. Any person who violates

1 Sections 3.155(d) or (f), 3.160, 3.165 or 3.170 of this Act or
2 any rule promulgated thereto, is guilty of a Class B €
3 misdemeanor.

4 (Source: P.A. 89-177, eff. 7-19-95.)

5 (210 ILCS 50/3.220)

6 Sec. 3.220. EMS Assistance Fund.

7 (a) There is hereby created an "EMS Assistance Fund" within
8 the State treasury, for the purpose of receiving fines and fees
9 collected by the Illinois Department of Health pursuant to this
10 Act.

11 (b) ~~(Blank) EMT licensure examination fees collected shall~~
12 ~~be distributed by the Department to the Resource Hospital of~~
13 ~~the EMS System in which the EMT candidate was educated, to be~~
14 ~~used for educational and related expenses incurred by the~~
15 ~~System's hospitals, as identified in the EMS System Program~~
16 ~~Plan.~~

17 (b-5) All licensing, testing, and certification fees
18 authorized by this Act, excluding ambulance licensure fees,
19 within this fund shall be used by the Department for
20 administration, oversight, and enforcement of activities
21 authorized under this Act.

22 (c) All other moneys within this fund shall be distributed
23 by the Department to the EMS Regions for disbursement in
24 accordance with protocols established in the EMS Region Plans,
25 for the purposes of organization, development and improvement

1 of Emergency Medical Services Systems, including but not
2 limited to training of personnel and acquisition, modification
3 and maintenance of necessary supplies, equipment and vehicles.

4 (d) All fees and fines collected pursuant to this Act shall
5 be deposited into the EMS Assistance Fund, except that all fees
6 collected under Section 3.86 in connection with the licensure
7 of stretcher van providers shall be deposited into the
8 Stretcher Van Licensure Fund.

9 (Source: P.A. 96-702, eff. 8-25-09.)

10 Section 99. Effective date. This Act takes effect January
11 1, 2011.